

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Serial No. ....09/802,661  
Filing Date ..... March 9, 2001  
Inventor..... Victor Keith Blanco  
Group Art Unit .....3713  
Examiner ..... Nguyen, Kim T.  
Attorney's Docket No. .... MS1-770US  
Confirmation No..... 7533  
Title: Method and Apparatus for Creating and Playing Soundtracks in a Gaming  
System

**RESPONSE TO OFFICE ACTION DATED FEBRUARY 7, 2006**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

From: Steven R. Sponseller (Tel. 509-324-9256 x250; Fax 509-323-8979)  
**Customer No. 22801**

### REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 1-20 and 45-51 are pending in this application.

The claims are subjected to a restriction requirement under 35 U.S.C. §121 as allegedly containing two distinct species of the claimed invention:

Species 1: Claims 11 and 15

Species 2: Claims 12 and 16

Applicant hereby elects to prosecute claims 11 and 15 (Species 1).

Accordingly, applicant cancels claims 12 and 16 (non-elected Species 2), without prejudice.

Respectfully Submitted,

Date: Feb. 13, 2006

By: Steven R. Sponseller  
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